

AGENDA

BOARD OF MAYOR AND ALDERMEN

April 6, 2004

**7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)**

- 1.** Mayor Baines calls the meeting to order.
- 2.** The Clerk calls the roll.
- 3.** Proclamation to be presented to Capt. Rodney Freeman, NH National Guard 1st/172 FA.
- 4.** Presentation regarding the restoration of the Valley Cemetery by John Wood.
- 5.** NH Department of Revenue Administration presentation regarding the State Education Property Tax abatement application criteria for low to moderate income taxpayers.
- 6.** Brief overview of services provided by the New Hampshire Municipal Association and the Local Government Center.

CONSENT AGENDA

- 7.** Mayor Baines advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Polls Conducted

- A.** Authorizing approval of the Committee on Traffic/Public Safety report adding two-hour metered parking on High Street from Union to Pine Streets rather than two-hour parking.
(Thirteen Aldermen voted yea and one Alderman absent.)
- B.** Approving request of Deputy Clerk Normand that authorization be given to send requests for proposals to interested parties (vendors), accept offers, award the vending spot at City Hall to the highest bidder, and issue the license by May 1, 2004.
(Thirteen Aldermen voted yea and one Alderman absent.)

Accept Minutes

- C.** Copies of minutes of meetings held on February 3, 2004 (two meetings); February 17, 2004 (three meetings); March 3, 2004 (two meetings); and March 4, 2004 (joint BMA/BOSC meeting).
(Note: available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen.)

Approve – Under the Supervision of the Department of Highways

- D.** Verizon Pole Petition #9AAMRH located on Teaberry Place, Treetop Lane, and Streamside Drive.

Informational – to be Received and Filed

- E.** Communication from Mayor Baines advising of the transfer of appropriations because of the urgent need to replace vehicles in both the Police and Highway Departments.
- F.** Copies of minutes of the Mayor's Utility Coordinating Committee meeting held on March 17, 2004.
- G.** Copies of minutes of the MTA Commission meeting held on March 1, 2004 and the Financial and Ridership Reports for the month of February 2004.

- H.** Communication from the Director of Planning & Community Development advising of staff efforts to develop a Hazard Mitigation Plan which is required by the Federal Emergency Management Agency.
- I.** Copy of a communication from the NH Division of Historical Resources to Mayor Baines advising that the Dunlap Block in Manchester is to be considered for nomination to the National Register of Historic Places.
- J.** Communication from the NH Department of Transportation advising of a public hearing to be held on Thursday, April 8, 2004 at the Highlander Inn at 7:00 PM to discuss proposed mitigation for the Bedford-Manchester-Londonderry-Merrimack project.
- K.** Communication from the NH Department of Transportation advising of contemplated awards.

Informational Only – Referred to the Committee on Lands and Buildings

- L.** Communication from Dick Dunfey, Secretary/Treasurer of the Manchester Housing and Redevelopment Corporation, seeking authorization of the sale of French Hall property on Hackett Hill Road to Easter Seals NH.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- M.** Appropriating Resolutions:

“Raising Monies and Making Appropriations for the Fiscal Year 2005.”

“A Resolution appropriating to the Manchester Aggregation Program the sum of \$834,682 from Aggregation Fees for the Fiscal Year 2005.”

“A Resolution appropriating to the Manchester Airport Authority the sum of \$44,898,329 from Special Airport Revenue Funds for Fiscal Year 2005.”

“A Resolution appropriating the sum of \$2,890,903 from Recreation User Charges to the Recreation Division for Fiscal Year 2005.”

“A Resolution appropriating the sum of \$14,584,987 from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2005.”

“A Resolution appropriating to the Manchester Transit Authority the sum of \$1,061,785 for the Fiscal Year 2005.”

“A Resolution appropriating to the Manchester School District the sum of \$138,500,000 for the Fiscal Year 2005.”

“A Resolution appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,162,270 from School Food and Nutrition Services Revenues for Fiscal Year 2005.”

“Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2005 and held in the Civic Center Fund, for the payment of the City’s Obligations in Said Fiscal Year Under the Financing Agreement.”

“A Resolution appropriating to the Central Business Service District the sum of \$225,000 from Central Business Service District Funds for Fiscal Year 2005.”

“Continuation of the Central Business Service District.”

“Approving the Community Improvement Program for 2005, Raising and Appropriating Monies Therefore, and Authorizing Implementation of Said Program.”

“Establishing a Manchester School District Capital Projects Expendable Trust.”

“Establishing a Manchester School District Facilities Maintenance and Repair Expendable Trust.”

“Establishing a Manchester School District Health Maintenance Expendable Trust.”

“Establishing a Manchester School District Athletic Equipment Expendable Trust.”

“Establishing a Manchester School District Special Education Expendable Trust.”

N. Bond Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Three Million Two Hundred Thousand Dollars (\$3,200,000) for the 2004 CIP 712004, Replace Sludge Dewatering Equipment Project.”

“Authorizing Municipal Revenue Refunding Bonds in the amount of One Hundred Million Dollars (\$100,000,000) for Refunding Certain Outstanding Municipal Revenue Bonds of the City issued on Behalf of Manchester Airport.”

O. Resolution:

“Amending the FY2003 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred and Ninety Thousand Dollars (\$390,000) for FY2003 CIP 811103 Senior Center Planning Project.”

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- P.** Recommending that the Board approve an Ordinance establishing a 100 foot distance from the door of a polling location to the beginning of the 10 foot corridor allowed by statute for people holding signs at the polling places. The Committee recommends that same be referred to the Committee on Bills on Second Reading for technical review and to the City Solicitor for language preparation.

- Q.** Recommending that the Board of Aldermen set the Mayor's base salary at \$85,000 per year effective January 2006 and that each year that a mayor provides continuous service the salary for such position shall be increased in accordance with the Consumer price Index (CPI). At any time a person initiates a term of office, or is appointed to complete an unexpired term of office, for the position of mayor the salary shall initiate at the base salary of \$85,000.00. The Committee further recommends that such provisions of salary for the mayor be forwarded to the voters as a non-binding referendum question.

BILLS ON SECOND READING

- R.** Recommending that Ordinance:
"Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include a portion of TPK 3-5A, a portion of TPK 3-5B, a portion of TPK 3-6, TPK 3-6A, TPK 3-7, & TPK 3-8 currently zoned R-3 (Urban Multifamily)."
ought to pass.
- S.** Recommending that Ordinance:
"Amending the Zoning Ordinance of the City of Manchester by changing the maximum height of residential structures in the R-3 (Urban Multifamily) district from 35 feet to 45 feet."
ought to pass.

COMMITTEE ON COMMUNITY IMPROVEMENT

- T.** Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$390,000 for FY2003 CIP 811103 Senior Center Planning Project, and for such purpose a resolution and budget authorization have been submitted.

- U. Recommending that the Old Wellington Road signalization project be approved and that the \$100,000 for said project come out of the proceeds from the sale of the related property. It is intended that this project will be included in the FY2005 CIP budget.
- V. Advising that they have approved a request from the Parks, Recreation and Cemetery Department to obtain three vehicles from the Aviation Department – two will be used as parts for their aging fleet of trucks and one will be used for yard work at the cemetery.

COMMITTEE ON JOINT SCHOOL BUILDINGS

- W. Advising that it has authorized an expenditure of up to \$1,083,439 from the School Facilities Improvement Project's contingency account to cover costs associated with unforeseen environmental issues (asbestos removal) as outlined.

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

- 8. Nominations to be presented by Mayor Baines, if available.
- 9. Communication from Alderman Forest nominating Eugene "Gene" Boisvert to succeed himself as a member of the Manchester Transit Authority, term to expire May 2009.
Ladies and Gentlemen, what is your pleasure?
- 10. Mayor Baines advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
- 11. Mayor Baines calls the meeting back to order.

OTHER BUSINESS

12. Report of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?

13. Ordinances: **(A motion is in order to read by titles only.)**

“Amending certain provisions of the Motor Vehicles and Traffic Ordinances to provide for increased penalties for parking in a Handicapped Parking Space and to provide penalties for parking in a Handicapped Parking Space Access Aisle.”

“Amending Section 70.55 Residential Parking of the Code of Ordinances of the City of Manchester by adding additional area to Residential Parking Permit Zone #4.”

“Amending the Code of Ordinances of the City of Manchester by creating §75.00 Motorized Scooters established to govern the use of motorized scooters in the City of Manchester.”

“An Ordinance amending Section 92.24 Tampering with Alarm Boxes by establishing an initial and annual renewal fee for persons authorized under the Fire Department Listed Agent Program.”

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include a portion of TPK 3-5A, a portion of TPK 3-5B, a portion of TPK 3-6, TPK 3-6A, TPK 3-7, & TPK 3-8 currently zoned R-3 (Urban Multifamily).”

“Amending the Zoning Ordinance of the City of Manchester by changing the maximum height of residential structures in the R-3 (Urban Multifamily) district from 35 feet to 45 feet.”

These Ordinances having had their second reading by titles only, the question is on passing same to be Enrolled.

14. Mayor Baines advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.
15. Mayor Baines calls the meeting back to order.
16. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.
Ladies and Gentlemen, what is your pleasure?
17. Communications from Mayor Baines to the Board relating to the Federal Bureau of Prisons for a federal halfway house in Manchester.
Ladies and Gentlemen, what is your pleasure?
18. Communication from Alderman Shea and Alderman Roy seeking the Board's concurrence in naming the Livingston Park Baseball Field in honor of Min Valavane.
Ladies and Gentlemen, what is your pleasure?
19. Discussion regarding the 2005 revaluation.
20. Report of the Committee for Lobbyist Selection recommending the firm of Sheehan Phinney Capital Group to represent the City on legislative affairs at the State House.
Ladies and Gentlemen, what is your pleasure?
21. Communication from the Airport Director requesting authorization to negotiate and execute a purchase and sale agreement for the acquisition of an Aero-Hex hangar facility from Wiggins Airways at an estimated cost of \$280,000.00 per previous agreement with Wiggins Airways.
If the Board so desires, a motion is in order to authorize the Airport Director to negotiate and execute a purchase and sale agreement as requested, subject to the review and approval of the City Solicitor.

22. Communication from the Public Works Director requesting to amend the City's landfill gas lease with Biomass Energy Partners, Inc., set to expire on May 7, 2004, to allow for a 15-year extension.
If the Board so desires, a motion is in order to approve the request and authorize the Mayor to execute an amendment to the landfill gas lease with Biomass Energy Partners, Inc. allowing for a 15-year extension, subject to the review and approval of the City Solicitor.
23. Communication from the Manchester Water Works Director seeking the Board's approval to accept a Quitclaim Deed from Albert Bourque on behalf of the City of Manchester for a one-acre parcel in the Town of Auburn.
If the Board so desires, a motion is in order to approve the requesting accepting a Quitclaim Deed from Albert Bourque for a parcel of land in the Town of Auburn as enclosed, subject to the review and approval of the City Solicitor.
24. Communication from Portsmouth Mayor Evelyn Sirrell requesting the Board consider a financial contribution and resolution supporting the campaign to protect the Portsmouth Naval Shipyard from closure under the Department of Defense 2005 Base Realignment and Closure review process.
Ladies and Gentlemen, what is your pleasure?
25. Communication from Hal Jordan, President/CEO, Greater Manchester Family YMCA, requesting a waiver of building permit fees for the Dorms at the YMCA Project.
Ladies and Gentlemen, what is your pleasure?
26. Ordinances: **(A motion is in order to read by titles only.)**

"Amending certain provisions of the Motor Vehicles and Traffic Ordinances to provide for increased penalties for parking in a Handicapped Parking Space and to provide penalties for parking in a Handicapped Parking Space Access Aisle."

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“Amending the Zoning Ordinance of the City of Manchester by changing the maximum height of residential structures in the R-3 (Urban Multifamily) district from 35 feet to 45 feet.”

These Ordinances having had their third and final reading by titles only, the question is on passing same to be Ordained.

27. Resolution: (A motion is in order to read by title only.)

“Amending the FY2003 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred and Ninety Thousand Dollars (\$390,000) for FY2003 CIP 811103 Senior Center Planning Project.”

A motion is in order that the Resolution pass and be Enrolled.

28. NEW BUSINESS

- a) Communications
- b) Aldermen

- 29.** Communication from the Chief Negotiator requesting to meet with the Board for a negotiation strategy session.
A motion is in order to recess the meeting for a negotiation strategy session.
- 30.** If there is no further business, a motion is in order to adjourn.